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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/033,857 | 11/02/2001 | Sha Li | 06030530 | 9239 |

26565 7590 07/27/2006

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EXAMINER

PEYTON, TAMMARA R

ART UNIT PAPER NUMBER

2182

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/033,857 | LI ET AL. | |
| | Examiner | Art Unit | |
| | Tammara R. Peyton | 2182 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) 17-69 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>1/17/04, 4/28/05, 2/18/05, 12/13/05, 11/22/04, 11/11/04, 8/24/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Okitsu, (US 6,006,005).

As per claim 1, Okitsu teaches method of synchronizing control of one or more devices in a system during an operational cycle, comprising:

retrieving data associated with a plurality of predetermined event commands to be performed by one or more of the devices in the operational cycle; associating a current event command in turn with the predetermined event commands; and responsive to the current event command being associated with a particular event command selected from the predetermined event commands, enabling one or more of the devices to perform the particular event command by transmitting a schedule command followed by a valid command to the devices, the valid command causing one or more of the devices intended to perform the particular event command, and the schedule command indicating a predetermined time for the particular event command to be performed.

Okitsu teaches a synchronizing control of one or more devices during an operational cycle wherein the operational cycle includes a recording cycle. Okitsu specifically teach wherein a current event command (recording updates) is associated with predetermined event command (previously selected recordings) of a particular event that a related to a scheduled command. Okitsu further teaches a valid command that determine whether or not to enable the recording cycle or cancel the recording cycle. (cols. 2-9)

Claims 1-10 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakagaki et al., (US 5,852,474).

As per claims 1-10 and 14-16, Nakagaki teaches method of synchronizing control of one or more devices in a system during an operational cycle, comprising: retrieving data associated with a plurality of predetermined event commands to be performed by one or more of the devices in the operational cycle; associating a current event command in turn with the predetermined event commands; and responsive to the current event command being associated with a particular event command selected from the predetermined event commands, enabling one or more of the devices to perform the particular event command by transmitting a schedule command followed by a valid command to the devices, the valid command causing one or more of the devices intended to perform the particular event command, and the schedule command indicating a predetermined time for the particular event command to be performed.

Nakagaki teaches a television receiver that includes a video signal processing

Art Unit: 2182

circuit wherein the particular video display signal could be recording at predetermined periods of time. (cols. 3-16)

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Tomita et al., (US 6,732,372).

As per claims 1-16, Tomita teaches method of synchronizing control of one or more devices in a system during an operational cycle, comprising: retrieving data associated with a plurality of predetermined event commands to be performed by one or more of the devices in the operational cycle; associating a current event command in turn with the predetermined event commands; and responsive to the current event command being associated with a particular event command selected from the predetermined event commands, enabling one or more of the devices to perform the particular event command by transmitting a schedule command followed by a valid

Art Unit: 2182

command to the devices, the valid command causing one or more of the devices intended to perform the particular event command, and the schedule command indicating a predetermined time for the particular event command to be performed.
(cols. 4-17)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(571) 273-8300

Hand-delivered responses should be brought to:
USTPO, Randolph Building, Customer Service Window
401 Dulany Street
Alexandria, VA 22314.

Tammara Peyton
July 20, 2006

TAMMARA PEYTON
PRIMARY EXAMINER
